



**DATE:** January 25, 2023  
**TO:** Board of Trustees  
**FROM:** Shawna Warren, Superintendent  
**ORIGINATOR:** Jonathan Konrad, Deputy Superintendent, Education Services  
**GOVERNANCE POLICY:** [Policy 700 – Superintendent of Schools](#)  
[Policy 245 - Appeals](#)  
**ADDITIONAL REFERENCE:** [AP520 – Student Records Management](#)  
Assurance Domain – [Learning Supports](#)  
**SUBJECT:** Administrative Procedure 521 – Independent Student Status

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**PURPOSE:**

For information.

**BACKGROUND:**

To clearly identify what it means to be an Independent Student, and to support principals who are reviewing an application by a student to become an Independent Student, Administration has created a new Administrative Procedure 521 – Independent Student Status.

Administration is prepared to respond to questions at the January 25, 2023, Public Board meeting.

**ATTACHMENT(S):**

1. Administrative Procedure 521 – Independent Student Status

## AP521- Independent Student Status

### Purpose

The purpose of this Administrative Procedure is to clearly identify an independent student and to set out the processes for establishing independent student status within Sturgeon Public School Division.

### Process

The Deputy Superintendent, Education Services is responsible for maintaining this Administrative Procedure and ensuring that the policies and procedures established by the Board relating to Independent Student status comply with the Education Act and the *Freedom of Information and Protection of Privacy Act (FOIP)*.

### Definitions

**Independent Student:** means a student who is:

- a) 18 years of age or older, or
- b) 16 years of age or older and
  - i) who is living independently as determined by a board in accordance with section 6 of the Education Act, or
  - ii) is party to an agreement under section 57.2 of the Child, Youth and Family Enhancement Act and is entitled to exercise all the rights and powers, receive all the benefits, and is subject to all the obligations that the student's parent/guardian is entitled to exercise, receive, or is subject to, and the student's parent/guardian shall not exercise those rights, receive those benefits, or be subject to those obligations.

**Parent/Guardian:** means a parent/guardian as defined by section 1(2) of the Education Act.

**Student:** means a person who is enrolled in a school or required by the *Education Act* to attend school but does not include a child younger than six (6) years of age who is enrolled in an early childhood services program.

**Procedure**

1. A student who is 18 years of age or older is, by statute, an independent student, can request that all communication no longer be provided to their parent/guardian.
2. Any student who is between 16 and 18 years of age may request to be considered an independent student.
3. The student shall submit a written request to the Principal.
4. To determine independent status, the Principal shall consider the following criteria:
  - a. The circumstances of the request (residence, relationship with parent/guardian).
  - b. Parent/guardian confirmation if the student is between 16 and 18 years of age.
  - c. Other submitted written statements or a statutory declaration.
  - d. Whether a student or student's parent/guardian has made a statement in writing indicating the student is living independently.
  - e. The student's living arrangements.
  - f. Whether the student is financially independent or contributes financially to their maintenance.
  - g. Whether the student is responsible for the making of significant decisions regarding matters such as health care.
  - h. Whether the student makes and maintains arrangements for living accommodation.
  - i. If there is a marriage or co-habiting arrangement; or
  - j. Any other factor that the Principal considers relevant.
5. None of these criteria alone is a sole indicator of independence, but the response to all of them will assist the Principal in determining whether the student should be identified as an independent student.
6. If the Principal determines that the criteria for independent student status are met, the student shall be advised in writing and recognized as an independent student. This status shall be entered in the Student Information System.

7. If the Principal determines that the criteria are not met, then the student and the parent/guardian shall be advised in writing.
8. If circumstances change, and the student no longer meets the criteria for independent status, the student and parent/guardian must inform the Principal of the change in writing. The Principal shall then enter the information to reflect the change of status in the Student Information System.
9. All correspondence shall be directly with the independent student unless the student provides written consent allowing the Principal to provide information to the parent/guardian.

### **Appeal**

10. If a student or parent/guardian disagree with the decision of the Principal, they may apply the appeal process as per Board Policy 245 - Appeals.

### References

Policy 245 - Appeals

AP520- Student Records Management

Education Act Sections 4-7, 11, 22,33

Child Youth and Family Enhancement Act

Freedom of Information and Protection of Privacy Act